

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Frankard et al.

Examiner: Collins, Cynthia

Serial No.: 10/583,212

Group Art Unit: 1638

Filed: November 22, 2006

Date: June 21, 2011

For: PLANTS HAVING MODIFIED GROWTH  
CHARACTERISTICS AND METHOD FOR  
MAKING THE SAME

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

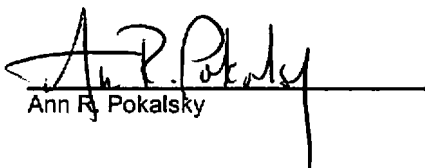
Pursuant to Applicant(s) duty of disclosure, the information listed on the attached form PTO/SB/08a is brought to the attention of the Examiner. Copies of the listed items are enclosed, except U.S. 2005/0221290.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

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**Certificate of EFS-Web Transmission**

I hereby certify that this correspondence is being transmitted to the U.S. Patent and Trademark Office via the Office's electronic filing system on June 21, 2011.

  
Ann R. Pokalsky

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

- ☐ This information disclosure statement is being filed within three (3) months of the filing date of this application.
- ☐ This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application.
- ☒ To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.
- ☐ Enclosed herewith is a certificate under 37 C.F.R. § 1.97(e)(1).
- ☐ Enclosed herewith is a petition under 37 C.F.R. § 1.97(d)(ii).
- ☐ Enclosed by check is the petition fee of \$130.00. 37 C.F.R. § 1.17(i)(1))
- ☐ Please charge the **\$130.00** petition fee to Deposit Account No. **04-1121**.
- ☐ Enclosed by check is the **\$180.00** fee required by 37 C.F.R. § 1.17(p).
- ☐ Please charge the **\$180.00** fee required by 37 C.F.R. § 1.17(p) to Deposit Account No. **04-1121**.

☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 04-1121. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 04-1121 therefor.

Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,



Reg. No. 34,697

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